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US 08/809,620 (TE20070509)
Reply to Office Action 04/20/07**Date 13 May, 2007****RECEIVED
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**Object Application 08/809,620
Reply to Notice of Non-Compliant
Amendment (37 CFR 1.121)
mailed on 20 April 2007**

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**Data reference (TE20070509)
21 sheets with this
Cover
15 sheets text, from 1 to 15
5 sheets drawings**

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Arradon on 13th of May 2007

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vernois.5678@wanadoo.fr**Application 08/809,620 - Goulven VERNOIS**

-I- REPLY TO THE NOTICE OF NON-COMPLIANT AMENDMENT
(37 CFR 1.121)

Mailed on April 20, 2007

A) Amendments to the claims

In the Reply to Action 02/16/06, with data reference (TE20060717b), the claims listing was not in respect of rule :

Canceled and not entered claims must be indicated by only the claim number and status, without presenting the text of the claims.

The new texts of claims listing (TE20060526) and (TE20060717b) respect this rule.

This paragraph A) is repeated on the top of a separate sheet

B) Amendments to the specification

The amended specification is substitute specification under 37 CFR 1.121(b)(3) and 1.125.

In the document "REVISED AMENDMENT PRACTICE", chapter B), Amendments to the specification, I read, lines 5 and 6 :

If a substitute specification is being submitted to incorporate extensive amendments, both a clean version (which will be entered) and a marked up version must be submitted as per 37 CFR 1.125.

In the Reply to Action 02/16/06, with data reference (TE20060717a), Applicant submits on separated sheets, pages 6-9, a clean version of substitute specification, as per 37 CFR 1.125.

In the same Reply to Action, with data reference (TE20020717c), Applicant submits on separated sheets, pages 6-12, an amended version of prior specification, as per 37 CFR 1.125.

This paragraph B) is repeated on the top of a separate sheet

C) Amendments to drawing figures.

In the "REVISED AMENDMENT PRACTICE", there is not instruction to cancel or delete drawing figures.

When on a total of 15 sheets and 56 figures, only 3 sheets and 5 figures are kept, and furthermore 2 figures are amended, there is a true problem to respect this Revised Amendment Practice.

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Reply to Office Action 04/20/07**a) Replacement Sheets**

In a first time, the numbering of the former sheets and figures will be keep..

5 The figures keep are figures 18, 19, 20 of the sheet 6/15, figure 35 of the sheet 9/15, and figure 43 of the sheet 10/15

The new sheet 6/15, with a new figure 57 showing the limit of lessening waves on the shape of a simple line, will be identified on top margin as "Replacement Sheet".

10 The new sheet 9/15, with the only figure 35, will be identified on top margin as "Replacement Sheet".

The only figure 35 will be amended by withdrawal of straight conductive wires 46.2 which are never in specification.

15 The new sheet 10/15, with the only figure 43, will be identified on top margin as "Replacement Sheet".

20 The only figure 43 will be amended by withdrawal of low part showing inverted arrangement of mirror and actuating membrane, and withdrawal of items 18, 67, 67.1, 67.2, and flanges of the mirror 45 and of the actuating membrane 46.

25 This only figure 43 will be amended by addition of magnetic coil 72/73 of the former deleted figure 1.

b) "New Sheet" or "Replacement Sheet" ?

The substitute specification allows the renumbering of the sheets, of the figures, and of the items.

30 In a second time, the sheets 9/15 and 10/15 become sheet 1/2 and the sheet 6/15 becomes the sheet 2/2.

But, what for an identification on the top margin ?

35 In the Notice of Non-Compliant Amendment mailed on 20/04/07, I read, in
3. Amendment to the drawings

A. The drawings are not properly identified in the top margin as "Replacement Sheet", "New Sheet" or "Annotated Sheet" as required by 37 CFR 1.121(d).

40 The reading of this 1.121(d) does not allow truly to choose between "Replacement Sheet" and "New Sheet".

I had chosen "New Sheet" because it seemed to me that a renumbering sheet with renumbering figures and renumbering items was more a "New Sheet" than a "Replacement Sheet", but, I admit that the other choice is so possible.

45 So, I have identified currently in top margin these 2 sheets 1/2 and 2/2 as "Replacement Sheet".

50 This paragraph C) is repeated on the top of a separate sheet, before drawings.

-II-**CURRENT AMENDMENT**

I ask for a new amendment by deletion of the word "electrostatic" in the line 7 of the claim
45.

55 The current new claims listing has the data reference (TE20070509)

This chapter -II- is repeated on the top of a separate sheet, after drawings

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